

REMARKS/ARGUMENTS

In view of the foregoing amendments and the following remarks, the applicant respectfully submits that the pending claims comply with 35 U.S.C. § 112 and are not rendered obvious under 35 U.S.C. § 103. Accordingly, it is believed that this application is in condition for allowance. **If, however, the Examiner believes that there are any unresolved issues, or believes that some or all of the claims are not in condition for allowance, the applicant respectfully requests that the Examiner contact the undersigned to schedule a telephone Examiner Interview before any further actions on the merits.**

The applicant will now address each of the issues raised in the outstanding Office Action.

Objections

Claims 15-17, 27-29, 40-42, 59-61, 69-71 and 80-82 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim 15 has been rewritten in independent form to include the limitations of base claim 7 and intervening claims 9 and 10. Claims 16 and 17 depend from claim 15.

Claim 27 has been rewritten in independent form to include the limitations of base claim 19 and intervening claims 21 and 22. Claims 28 and 29 depend from claim 27.

Claim 40 has been rewritten in independent form to include the limitations of base claim 32 and intervening claims 34 and 35. Claims 41 and 42 depend from claim 40.

Claim 59 has been rewritten in independent form to include the limitations of base claim 53 and intervening claim 54. Claims 60 and 61 depend from claim 59.

Claim 69 has been rewritten in independent form to include the limitations of base claim 63 and intervening claim 64. Claims 70 and 71 depend from claim 69.

Finally, claim 80 has been rewritten in independent form to include the limitations of base claim 74 and intervening claim 75. Claims 81 and 82 depend from claim 80.

Thus, the foregoing claims are now in condition for allowance.

Rejections under 35 U.S.C. § 112

Claims 7-10, 12-17, 19-22, 24-29, 32-35, 37-42, 53, 54, 56-61, 63, 64, 66-71, 74, 75, 77-81 and 85 stand rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement. The applicant respectfully requests that the Examiner reconsider and withdraw this ground of rejection in view of the following.

First, since claims 7, 9, 10, 19, 21, 22, 32, 34, 35, 53, 54, 63, 64, 74 and 75 have been canceled, this ground of rejection is moot with respect to these claims.

As noted above, claims 15, 27, 40, 59, 69 and 80 have been rewritten in independent form to include the limitations of base claims 7, 19, 32, 53, 63, and 74, respectively (and intervening claims). The term

"automatically" which was the basis for this ground of rejection has been removed. During a brief telephone discussion on August 19, 2009, Examiner Nguyen indicated that such amendments would overcome this rejection and place this application into condition for allowance. The remaining dependent claims are similarly allowable.

Rejections under 35 U.S.C. § 103

Claims 7-10, 12, 13, 19-22, 24, 25, 32-35, 37, 38, 53, 54, 56, 57, 63, 64, 66, 67, 74, 75, 77, 78 and 85 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Application Publication No. 2003/0078928 ("the Dorosario publication") in view of U.S. Patent No. 6,453,315 ("the Weissman patent"), U.S. Patent No. 6,907,566 ("the McElfresh patent") and U.S. Patent Application Publication No. 2003/0182274 ("the Oh publication"). The applicant respectfully requests that the Examiner reconsider and withdraw this ground of rejection in view of the following.

First, since claims 7, 9, 10, 19, 21, 22, 32, 34, 35, 53, 54, 63, 64, 74 and 75 have been canceled, this ground of rejection is moot with respect to these claims.

As noted above, claims 15, 27, 40, 59, 69 and 80 (which were found to include allowable subject matter but objected to as depending from a rejected base claim) have been rewritten in independent form to include the limitations of base claims 7, 19, 32, 53, 63, and 74, respectively (and intervening claims). Thus, these claims are now in condition for allowance.

Since claims 8, 12, 13, 20, 24, 25, 33, 37, 38, 56, 57, 66, 67, 77, 78 and 85, as amended, depend from one of

the foregoing allowable claims, these claims are also in condition for allowance.

Claims 14, 26, 39, 58, 68 and 79 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over the Dorosario and Oh publications and the Weissman and McElfresh patents and further in view of U.S. Patent Application Publication No. 2002/0059094 ("the Hosea publication"). The applicant respectfully requests that the Examiner reconsider and withdraw this ground of rejection in view of the following.

Since claims 14, 26, 39, 58, 68 and 79, as amended, depend from allowable claims 15, 27, 40, 59, 69 and 80, respectively, these claims are similarly allowable.

Since the foregoing amendments merely cancel claims, rewrite "objected to" claims in independent form, and remove the objectionable term "automatically", they should be entered as they place this application into condition for allowance without raising any new issues. During a brief telephone discussion on August 19, 2009, Examiner Nguyen confirmed that such amendments would be entered.

Conclusion


In view of the foregoing amendments and remarks, the applicant respectfully submits that the pending claims are in condition for allowance. Accordingly, the applicant requests that the Examiner pass this application to issue.

Any arguments made in this amendment pertain **only** to the specific aspects of the invention **claimed**. Any claim amendments or cancellations, and any arguments, are made **without prejudice to, or disclaimer of**, the applicant's right to seek patent protection of any unclaimed (e.g., narrower, broader, different) subject matter, such as by way of a continuation or divisional patent application for example.

Since the applicant's remarks, amendments, and/or filings with respect to the Examiner's objections and/or rejections are sufficient to overcome these objections and/or rejections, the applicant's silence as to assertions by the Examiner in the Office Action and/or to certain facts or conclusions that may be implied by objections and/or rejections in the Office Action (such as, for example, whether a reference constitutes prior art, whether references have been properly combined or modified, whether dependent claims are separately patentable, etc.) is not a concession by the applicant that such assertions and/or implications are accurate, and that all requirements for an objection and/or a rejection have been met. Thus, the applicant reserves the right to analyze and dispute any such assertions and implications in the future.

Respectfully submitted,

August 19, 2009



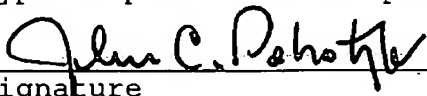
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August 19, 2009

Date